

REMARKS

The Final Office Action dated December 10, 2004, has been received and reviewed.

Claims 1-23 and 40-54 were previously pending and in the above-referenced application. Claims 3, 5, 19, 21, and 51 were withdrawn from consideration by the Office. Claims 1, 2, 6, 7, 9, 11, 13, 17, 18, 22, 49, 50, and 52 stand rejected. Claims 40-48 have been allowed. Claims 4, 8, 10, 12, 14-16, 20, 23, 53, and 54 have been objected to for depending from rejected base claims, but recite allowable subject matter.

It is proposed that claims 3-5, 7-10, 19-21, 53, and 54 be canceled without prejudice or disclaimer. It is also proposed that new claims 55-74 be added.

Reconsideration of the above-referenced application is respectfully requested.

Rejections Under 35 U.S.C. § 102

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single reference which qualifies as prior art under 35 U.S.C. § 102. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Walker

Claims 1, 2, 6, 7, 9, 11, 13, 17, 18, and 22 stand rejected under 35 U.S.C. § 102(e) for reciting subject matter which is purportedly anticipated by that described in U.S. Patent 6,273,800 to Walker et al.(hereinafter "Walker").

It is proposed that independent claims 1 and 17 be amended to include limitations from claims 4 and 20, respectively. The Office has already indicated that the subject matter recited in claims 4 and 20 is allowable over the disclosure of Walker. By inclusion of these limitations in independent claims 1 and 17, these claims also recite subject matter which is not anticipated under 35 U.S.C. § 102(e) by the disclosure of Walker.

Claims 7 and 9 have been canceled without prejudice or disclaimer, rendering the rejections of these claims moot.

Claims 2, 6, 11, and 13 are each allowable, among other reasons, for depending directly from claim 1, which is allowable.

Claims 18 and 22 are both allowable, among other reasons, for depending directly from claim 17, which is allowable.

In view of the foregoing, withdrawal of the 35 U.S.C. § 102(e) rejections of claims 1, 2, 6, 7, 9, 11, 13, 17, 18, and 22 is respectfully requested.

Vander Voort

Claims 17, 18, 49, 50, and 52 stand rejected under 35 U.S.C. § 102(e) for reciting subject matter which is purportedly anticipated by that described in U.S. Patent 6,224,474 to Vander Voort (hereinafter "Vander Voort").

It is proposed that independent claim 17 be amended to include limitations from claim 20, which the Office indicated to be allowable over the subject matter described in Vander Voort, while it is proposed that independent claim 49 be amended to include limitations from claim 53, which the Office indicated to be allowable over the subject matter described in Vander Voort. Accordingly, it is respectfully submitted that, under 35 U.S.C. § 102(e), the subject matter recited in independent claims 17 and 49, as proposed to be amended, is also allowable over the subject matter described in Vander Voort.

Claim 18 is allowable, among other reasons, for depending directly from claim 17, which is allowable, while claim 50 is allowable, among other reasons, for depending directly from claim 49, which is allowable.

It is proposed that claim 52 be canceled without prejudice or disclaimer, rendering moot the rejection of claim 52.

Accordingly, the 35 U.S.C. § 102(e) rejections of claims 17, 18, 49, 50, and 52 should be withdrawn.

Allowable Subject Matter

The allowance of claims 40-48 and the indication that claims 4, 8, 10, 12, 14-16, 20, 23, 53, and 54 recite allowable subject matter are gratefully acknowledged.

While subject matter from these claims has been incorporated into independent claims, as described in further detail hereinafter, it should be understood that the cancellation of rejected subject matter and amendment and introduction of independent claims that are drawn to subject matter which the Office has conceded is allowable should not be construed as acquiescence of the propriety of the claim rejections that have been made by the Office. In this regard, Applicants reserve the right to pursue the subject matter that was previously recited in the claims of the above-referenced application in one or more continuing applications.

New Claims

It is proposed that new claims 55-74 be added.

New independent claim 55 is directed to subject matter from prior independent claim 1 and prior claims 8 and 10, which recited allowable subject matter. New claims 56-62 depend directly or indirectly from claim 55.

New independent claim 63 recites subject matter from prior independent claim 1 and prior claim 12, which the Office has indicated is allowable. New claims 64-68 depend directly or indirectly from claim 63.

New independent claim 69 is drawn to subject matter that was previously recited in claims 1 and 14, which recite subject matter that the Office has acknowledged to be allowable. New claims 70 and 71 both depend directly from new independent claim 69.

New independent claim 72 recites allowable subject matter from prior claims 17 and 23. New claim 73 depends directly from new independent claim 72.

New independent claim 74 is directed to allowable subject matter that previously appeared in claims 49 and 54.

None of proposed new claims 55-74 introduces new matter into the above-referenced application, nor would entry thereof require an additional search. Accordingly, it is respectfully requested that each of these claims be entered.

Entry of Amendments

Entry of the proposed amendments to the claims is respectfully requested, as doing so would not introduce new matter into the above-referenced application or necessitate another search. Furthermore, entry of the proposed amendments eliminates all of the issues that remain in the above-referenced application by placing the above-referenced application in condition for allowance.

In the event that a decision is made not to enter the proposed claim amendments, entry thereof upon the filing of a Notice of Appeal in the above-referenced application is respectfully requested.

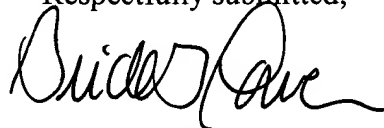
Election of Species Requirement

Claim 51, which was withdrawn from consideration by the Office pursuant to a species election, should be returned to consideration since it depends from an allowable independent claim.

CONCLUSION

It is respectfully submitted that each of claims 1, 2, 6, 11-18, 22, 23, 40-52, and 55-74 is allowable. An early notice of the allowability of each of these claims is respectfully solicited, as is an indication that the above-referenced application has been passed for issuance. If any issues preventing allowance of the above-referenced application remain which might be resolved by way of a telephone conference, the Office is kindly invited to contact the undersigned attorney.

Respectfully submitted,



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